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NOTICE

The undenmentioned Gazette of India Extraordinary was published upto the 21st September, 1962.

Issue No.	No. and Date	Issued by	Subject
87	G.S.R 1254, dated 21st September, 1962.	Department of Atomic Energy.	The said Act stated therein shall come into force w.e.f. the 21st day of September, 1962.

Copies of the Gazette Extraordinary mentioned above, will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of this Gazette.

PART II—Section 3—Sub-section (i)

General Statutory Rules (including orders, bye-laws etc. of a general character) issued by the Ministries of the Government of India (other than the Ministry of Defence) and by Central Authorities (other than the Administrations of Union Territories).

MINISTRY OF HOME AFFAIRS

New Delhi, the 26th September 1962

G.S.R. 1311.—In exercise of the powers conferred by section 2 of the Union territories (Laws) Act, 1950 (30 of 1950), the Central Government hereby extends to the Union territory of Delhi the Madras Chit Funds Act, 1961 (Madras Act 24 of 1961) as at present in force in the State of Madras, subject to the following modifications, namely:—

1. Throughout the Act, unless otherwise specified, for the word "Government", the word "Administrator" shall be substituted and there shall also be made in any sentence, in which such substitution is made, such consequential amendments as the rules of grammar may require.

2. In section 1, for sub-section (2), the following sub-section shall be substituted, namely:—

“(2) It extends to the whole of the Union territory of Delhi”.

3. In section 2—

(a) clause (1) shall be renumbered as clause (1A) and before the clause as so renumbered, the following clause shall be inserted, namely:—

“(1) ‘Administrator’ means the Administrator for the Union territory of Delhi;”

(b) clause (11) shall be omitted.

4. In section 12, the words “Government securities” in all the places where they occur shall stand unmodified.

5. In section 37, in the second proviso to sub-section (2), after the brackets, words and figures “(Central Act X of 1949)”, the words “or a corporation established by or under any statute and carrying on the business of banking” shall be inserted.

6. In section 38, for the portion beginning with the words “A chit registered in the Presidency-town” and ending with the words “where the chit has been registered”, the following shall be substituted, namely:

“A chit may be wound up by the District Court”

7. In section 46, in sub-section (2), for the words “District Gazette”, the words “Delhi Gazette” shall be substituted.

8. In section 47, the words “Where insolvency proceedings against the foreman are pending in different courts, the High Court may transfer the proceedings from one court to another as it may deem fit” shall be omitted.

9. In section 53, in sub-section (2), for words “Fort St. George Gazette” the words “Delhi Gazette” shall be substituted.

10. In section 57, the words “a salaried presidency magistrate or” shall be omitted.

11. In section 59, in sub-section (1), the words “in the mufassal or a presidency magistrate in the Presidency-town,” shall be omitted.

12. In section 63,—

(a) in clause (a) of sub-section (3) for the words “Fort St. George Gazette”, the words “Delhi Gazette” shall be substituted; and

(b) sub-section (4) shall be omitted.

13. For section 67, the following section shall be substituted, namely:—

67. *Amendment of Central Act II of 1899 in its application to the Union territory of Delhi.*—In Schedule 1A to the Indian Stamp Act, 1899 (Central Act II of 1899), in its application to the Union territory of Delhi, after entry 20, the following entry shall be inserted, namely:—

“20-A. A chit agreement, that is an agreement relating to a chit as defined in clause (2) of section 2 of the Madras Chit Funds Act, 1961 as extended to the Union territory of Delhi, if either such agreement is executed or the chit is conducted in the Union territory of Delhi.”... One rupee”

14. Section 68 shall be omitted.

15. Sub-section (2) of section 69 shall be omitted.

ANNEXURE

THE MADRAS CHIT FUNDS ACT, 1961 AS EXTENDED TO THE UNION TERRITORY OF DELHI.

(Madras Act 24 of 1961)

An Act to provide for the regulation of chit funds in the State of Madras.

Whereas it is expedient to provide for the regulation of chit funds in the State of Madras:

Be it enacted in the Twelfth Year of the Republic of India as follows:—

CHAPTER I

PRELIMINARY

1. **Short title, extent and commencement.**—(1) This Act may be called the Madras Chit Funds Act, 1961.

(2) It extends to the whole of the Union territory of Delhi.

(3) It shall come into force on such date as the Administrator may, by notification, appoint, and different dates may be appointed for different areas and for different provisions of this Act.

2. **Definitions.**—In this Act, unless the context otherwise requires,—

(1) 'Administrator' means the Administrator of Delhi;

(1A) "approved bank" means a bank approved by the Government;

(2) "chit" means a transaction whether called chit fund, chit, kurl, or, by any other name, by which its foreman enters into an agreement with a number of subscribers that every one of them shall subscribe a certain sum or a certain quantity of grain by instalments for a definite period and that each subscriber in his turn as determined by lot or by auction or by tender or in such other manner as may be provided for in the agreement, shall be entitled to a prize amount;

Explanation.—A transaction is not a chit within the meaning of this clause, if in such transaction—

(a) some alone, but not all, of the subscribers get the prize amount without any liability to pay future subscriptions; or

(b) all the subscribers get the whole of the chit amount by turns with a liability to pay future subscriptions.

Illustration.—There are 100 subscribers to a chit and the subscription by each of them is Rs. 10. All the subscribers get by turns Rs. 1,000 being the whole of the chit amount and are liable to pay future subscriptions. The transaction falls within clause (b) of the above Explanation and is not a chit;

(3) "chit agreement" means a document containing the articles of agreement between the foreman and the subscribers relating to the chit;

(4) "chit amount" means the sum total of the subscriptions payable by all the subscribers for any instalment of a chit without any deduction for discount or otherwise;

(5) "defaulting subscriber" means a subscriber who has defaulted in the payment of subscriptions due according to the terms of the chit agreement;

(6) "discount" means the sum or the quantity of grain, which a prized subscriber has under the terms of the chit agreement to forego and which is set apart under the said agreement to meet the expenses of running the chit or for distribution among the subscribers or for both;

(7) "dividend" means the share of a subscriber in the discount available under the chit agreement for rateable distribution among the subscribers at each instalment of the chit;

(8) "drawing" means ascertaining of the person or persons entitled to the prize amount at any instalment of a chit;

(9) "firm" means a firm registered under the Indian Partnership Act, 1932 (Central Act IX of 1932);

(10) "foreman" means the person who under the chit agreement is responsible for the conduct of the chit and includes any other person discharging the functions of the foreman under section 30;

Provided that no firm shall be a foreman unless such firm is registered under the Indian Partnership Act, 1932 (Central Act IX of 1932);

(11) Omitted.

(12) "non-prized subscriber" does not include a subscriber who has defaulted in the payment of subscriptions due according to the terms of the chit agreement;

(13) "prize amount" means the difference between the chit amount and the discount, and, in the case of a fraction of a ticket means the difference between the chit amount and the discount proportionate to the fraction of the ticket; and when the prize amount is payable otherwise than in cash, the value of the prize amount shall be the value at the time it becomes payable;

(14) "prized subscriber" means a subscriber who has either received or is entitled to the prize amount;

(15) "Registrar" means a Registrar appointed under sub-section (1) of section 51;

(16) "subscriber" includes a person who holds a fraction of a ticket and also a transferee of a ticket or a fraction thereof by assignment in writing or by operation of law;

(17) 'ticket' means the share of a subscriber in a chit.

CHAPTER II

CONSTITUTION AND REGISTRATION

3. **Registration of by-laws.**—(1) Save as otherwise provided in this Act, no person shall start or conduct any chit unless he has registered with the Registrar the proposed by-laws of the chit.

(2) For the purpose of registration, there shall be filed with the Registrar the by-laws of the chit in duplicate signed by the foreman and attested by at least two witnesses.

(3) The Registrar, on being satisfied that the by-laws are not contrary to this Act or to the rules made thereunder, shall issue to the foreman a certificate of registration and such certificate shall be conclusive evidence that the by-laws of the chit therein mentioned are duly registered.

(4) The Registrar shall retain the by-laws of the chit and return the duplicate of the by-laws to the foreman with an endorsement that the by-laws have been registered.

1. **Prohibition of invitation for subscription to chit of which by-laws have not been registered.**—No person shall issue or publish any notice, circular, prospectus or other document containing the terms and conditions of any chit or inviting the public to subscribe for tickets in any chit unless such notice, circular, prospectus or other document relates to a chit the by-laws of which have been registered.

5. **Form of chit agreement.**—Every chit agreement shall be in duplicate and shall be signed by the subscribers or by persons authorized in that behalf in writing by the subscribers, and the foreman and attested by at least two witnesses, and it shall contain the following particulars, namely:—

- (1) The full name and the permanent residential address of every subscriber;
- (2) the tickets held by each subscriber;
- (3) the number of instalments and the amount payable in respect of each ticket for each instalment;
- (4) the dates of commencement and termination of the chit;
- (5) the mode of ascertaining the prized subscriber;
- (6) Notwithstanding anything to the contrary contained in any other law, the to forego;
- (7) the mode and proportion in which the discount is distributable by way of dividend, foreman's commission and other expenses, if any;

- (8) the date, time and place at which the chit is to be drawn;
- (9) if under the chit agreement the foreman is entitled to the chit amount, the instalment at which the foreman is to get the chit amount;
- (10) the approved bank or banks in which chit moneys shall be deposited by the foreman under the provisions of this Act;
- (11) the manner in which a chit shall be continued, where a foreman who is an individual dies or becomes of unsound mind; and
- (12) any other particulars which may be prescribed.

Explanation.—It is sufficient to get the signature of each subscriber on separate copies of the agreement.

6. Filing of chit agreement.—(1) Every chit agreement with its duplicate shall be filed with the Registrar.

(2) The Registrar shall retain the chit agreement and return the duplicate chit agreement to the foreman with an endorsement that the chit agreement is filed.

7. Commencement of chit business.—(1) No person shall commence any auction or drawing of any chit unless he has obtained a certificate of commencement from the Registrar.

(2) The Registrar shall, on being satisfied that the by-laws of the chit have been registered and the chit agreement has been filed and the security required under section 12 has been furnished by the foreman, grant a certificate of commencement.

8. Copies of by-laws and chit agreement to be given to subscribers.—(1) The foreman shall, as soon as may be after he has obtained the certificate of commencement referred to in section 7, but not later than the date of the first drawing of the chit, furnish to every subscriber a copy of the by-laws of the chit and of the chit agreement certified by him to be a true copy.

(2) The foreman shall, within the fifteenth day of the month succeeding the month in which the first instalment of the chit is drawn, file with the Registrar a certificate to the effect that he has complied with the provisions of sub-section (1).

9. Alteration of chit agreement.—The chit agreement shall not be altered, added to or cancelled except with the consent in writing of the foreman and all the subscribers to the chit.

10. Minutes of proceedings.—(1) Minutes of the proceedings of every drawing shall be drawn up and entered in a book to be kept for that purpose and shall be signed by the foreman and all the subscribers present. It shall also be signed by the prized subscriber or his authorized agent.

(2) Such minutes shall state clearly—

- (i) the date and hour when the proceedings began and ended and the place where the drawing was held;
- (ii) the number of the particular instalment of the chit of which proceedings are recorded;
- (iii) the names of the subscribers present;
- (iv) the person or persons who become entitled to the prize amount in the particular instalment;
- (v) the amount of discount;
- (vi) full particulars regarding the disposal of the prize amount in respect of the preceding instalment and disposal of unpaid prize amount, if any, in respect of any previous instalment; and
- (vii) any other particulars which may be prescribed.

11. Copy of minutes to be filed with the Registrar.—Every foreman shall, within the fifteenth day of the month succeeding the month in which one or more instalments of the same chit or one or more instalments of any other chit are drawn,

file with the Registrar a copy of the minutes referred to in section 10 in respect of the drawings at all such instalments and certified by the foreman to be a true copy.

CHAPTER III

FOREMAN

12. Security to be given by foreman.—(1) For the proper conduct of the chit every foreman shall, before applying for the certificate of commencement under section 7,—

- (a) execute an indenture of mortgage and trust in favour of the Registrar as trustee charging by way of security property sufficient to the satisfaction of the Registrar for the realization of the chit amount; or
- (b) (i) deposit in any approved bank an amount of cash not less than half of the chit amount, or
- (ii) invest in Government securities of the face value or market value, whichever is less, of not less than half of the chit amount,

and transfer the amount so deposited or the Government securities in favour of the Registrar to be held in trust by him as security:

Provided that, where movable property is charged by way of security, only such kind of movable property as may be prescribed shall be so charged and such movable property shall be deposited in such manner and with such person or officer as may be prescribed.

(2) Where a foreman conducts more than one chit, he shall furnish security in accordance with the provisions of sub-section (1) in respect of each such chit.

(3) Subject to the provisions of section 520 of the Companies Act, 1956 (Central Act I of 1956), the security given by the foreman under sub-section (1) shall not be liable to be attached in execution of a decree or otherwise—

- (i) until the chit is terminated and the claims of all the subscribers are fully satisfied;
- (ii) until all dues payable by the foreman under this Act to the Registrar or any other officer have been paid;
- (iii) where owing to the default of the prized subscriber the prize amount due remains unpaid even after the termination of a chit until the foreman deposits such amount in an approved bank mentioned in the chit agreement and intimates in writing the fact of such deposit to the prized subscriber.

(4) The Registrar shall, after the termination of a chit and after satisfying himself that the requirements under clauses (i) to (iii) of sub-section (3) have been complied with, release the property charged by way of security or order the release of the cash security or the Government securities referred to in sub-section (1) and in so doing, he shall follow such procedure as may be prescribed.

(5) The Registrar may, on the application of any foreman, instead of releasing the security under sub-section (4), accept the same as security in respect of any other chit or chits conducted by the same foreman. If the value or amount of the security so accepted is less than the value or amount specified in sub-section (1), the Registrar shall require the foreman to furnish additional security to make up the deficiency. If the value or amount of such security is in excess of the value or amount required, the Registrar shall release such excess.

(6) Notwithstanding anything to the contrary contained in any other law, the security furnished under this section shall not be dealt with by the foreman during the currency of the chit and any dealing by the foreman with respect thereto by way of transfer, charge, mortgage or other encumbrance shall be void.

13. The rights of the foreman.—The foreman shall be entitled—

- (a) in the absence of any provision in the chit agreement to the contrary, to obtain the chit amount at the instalment specified in the chit agreement;

- (b) to such commission or remuneration not exceeding five per cent of the chit amount as may be fixed in the chit agreement;
- (c) to receive and realize all contributions from the subscribers and to distribute the prize amounts to prized subscribers and the dividend among the subscribers;
- (d) to demand sufficient security from any prized subscriber for the due payment of future subscriptions;
- (e) to substitute subscribers in the place of defaulters; and
- (f) to do all other acts that may be necessary for the due and proper conduct of the chit.

14. The duties of the foreman.—(1) The foreman shall, on the prized subscriber, furnishing sufficient security for the due payment of future subscriptions, be bound to pay him the prize amount;

Provided that the prized subscriber shall be entitled to demand immediate payment of the prize amount after deducting all future subscriptions without any security whatsoever, and in such case the foreman shall, before the date of the next succeeding instalment, deposit in an approved bank mentioned in the chit agreement the amount of future subscriptions deducted as aforesaid and he shall not withdraw the amount so deposited except for payment of future subscriptions.

(2) If owing to the default of the prized subscriber the prize amount due in respect of any drawing remains unpaid before the date of the next succeeding drawing, the foreman shall deposit the same forthwith in an approved bank mentioned in the chit agreement and intimate in writing the fact of such deposit to the prized subscriber.

(3) Every payment of the prize amount, the deposit of the amount of future subscriptions under sub-section (1) and the deposit of the prize amount under sub-section (2) shall be intimated to the subscribers at the next succeeding drawing, and particulars of such payment or deposit entered in the minutes of the proceedings of that drawing.

(4) The foreman shall not appropriate for himself any amount in excess of what he is entitled to under clauses (a) and (b) of section 13:

Provided that the foreman may appropriate for himself the interest accruing on the amount deposited under the proviso to sub-section (1).

15. Registers and books of account.—The foreman shall keep such registers and books of account, and in such form, as may be prescribed.

16. Balance-sheet.—(1) Every foreman shall prepare and file with the Registrar in such manner and within such time as may be prescribed, a balance-sheet duly audited either by auditors duly qualified to act as auditors of companies under the Companies Act, 1956 (Central Act I of 1956), or by a Chit Auditor appointed under sub-section (2) of section 51 and relating to the period of account.

(2) The balance-sheet referred to in sub-section (1) shall—

- (a) contain a summary of the assets and liabilities of the chit; and
- (b) give such particulars as will disclose the nature of the assets and liabilities and how the value of the assets has been arrived at.

17. Liability of the foreman to the subscribers.—(1) Every foreman shall be liable to account to the subscribers for the amounts due to them.

(2) Where there are more than one foreman each one of them jointly and severally or if the foreman is a firm, each one of the partners thereof jointly and severally and if the foreman is a Corporation, the Corporation as such shall be liable to the subscribers in respect of the obligations arising out of the chit.

18. Withdrawal of a foreman.—Where there are more than one person as foreman in a chit, none of them shall withdraw from it until the termination of the chit unless such withdrawal is assented to by all the non-prized subscribers and unpaid prized subscribers and a copy of such assent has been filed as required by section 32. Such withdrawal shall not however, affect the security given under section 12.

CHAPTER IV

NON-PRIZED SUBSCRIBERS

19. Non-prized subscriber to pay subscription and get receipt.—Every non-prized subscriber shall pay his subscription at the time and place mentioned in the chit agreement and shall on such payment be entitled to get a receipt from the foreman.

20. Removal of defaulting subscribers.—(1) A non-prized subscriber who defaults in paying his subscription in accordance with the terms of the chit agreement shall be liable to have his name removed from the list of subscribers. Every such removal shall, with the date thereof, be entered in the relevant book maintained by the foreman. A written notice of such removal shall be given by the foreman to the defaulting subscriber within fourteen days of such removal.

(2) A true copy of the entry referred to in sub-section (1) shall be filed by the foreman with the Registrar within fourteen days from the date of such removal.

(3) Any defaulting subscriber aggrieved by the removal of his name from the list of subscribers may, within seven days of the communication to him of the notice of removal, appeal to the Registrar.

(4) The Registrar may, after giving the parties an opportunity of being heard, pass such orders on the appeal as he thinks fit and the decision of the Registrar shall be final.

21. Substitution.—(1) The foreman may substitute in the list of subscribers any person in the place of a defaulting subscriber whose name has been removed from such list under sub-section (1) of section 20:

Provided that no such substitution shall be made until the expiry of the period allowed for appeal under sub-section (3) of section 20, or where any such appeal has been preferred, until the same has been disposed of.

(2) Every substitution referred to in sub-section (1) shall, with the date thereof, be entered in the relevant book maintained by the foreman. A true copy of every such entry shall be filed by the foreman with the Registrar within fourteen days from the date of substitution.

(3) All arrears of subscriptions realised from the substituted subscriber, less any amount advanced by the foreman, shall, before the date of the next succeeding instalment be deposited by the foreman in an approved bank mentioned in the chit agreement. The foreman shall not withdraw the amount so deposited except for payment to the defaulting subscriber.

Explanation.—For the purposes of sub-section (3), 'arrears of subscriptions' shall mean all the previous instalments realised from the substituted subscriber.

22. Amount due to defaulting subscriber how dealt with.—When a substituted subscriber draws the prize amount, the defaulting subscriber shall be entitled to recover from the foreman his contributions subject to such deductions as may be provided for in the chit agreement. The foreman shall on demand made by the defaulting subscriber and on his executing an acknowledgment duly signed be bound to pay to the defaulting subscriber the amount due to him before the date of the next succeeding instalment. If the defaulting subscriber fails to furnish the acknowledgment as aforesaid, the foreman shall, before the date of the next succeeding instalment, deposit in an approved bank the amount due to the defaulting subscriber. The amount so deposited shall not be withdrawn by the foreman for any purpose other than for payment to the defaulting subscriber.

CHAPTER V

PRIZED SUBSCRIBERS

23. Prized subscriber to give security.—Before receiving the prize amount without deducting all future subscriptions, every prized subscriber shall furnish and the foreman shall take sufficient security for the due payment of future subscriptions and if the foreman is the prized subscriber, he shall give security for the due payment of future subscriptions to the satisfaction of the Registrar.

24. Prized subscriber to pay the subscription regularly.—Every prized subscriber shall pay his subscriptions regularly at the time and place and on the date mentioned in the chit agreement and on his failure to do so, he shall be liable to make a consolidated payment of all the future subscriptions at once.

25. Foreman to demand future subscriptions by written notice.—(1) A foreman shall not be entitled to claim consolidated payment of all the future subscriptions from a defaulting prized subscriber unless he shall have demanded the same in writing.

(2) If in a suit by a foreman for consolidated payment of future subscriptions from a defaulting prized subscriber, the defendant pays into court on or before the date to which the suit is posted for hearing the arrears of subscriptions till that date together with interest thereon at the rate provided for in the chit agreement or at twelve per cent per annum simple interest whichever is lower, and the costs of the suit for payment to the plaintiff, then, notwithstanding any contract to the contrary, the court shall pass a decree directing that the defendant shall deposit in court for payment to the plaintiff, the future subscriptions on or before the dates on which they fall due and that, in default of payment by the defendant of any future subscription on or before the due date, the plaintiff shall be at liberty to realize in execution all the future subscriptions and interest thereon, less the amount, if any already deposited by the defendant:

Provided that if any such suit is upon a promissory note, no decree shall be passed under this sub-section unless such promissory note expressly state that the amount due under the promissory note is towards payment of subscriptions to the chit.

(3) Any person who holds an interest in the property furnished as security or any part thereof shall be entitled to make payment under sub-section (2).

(4) All consolidated payments of future subscriptions realized by a foreman shall be deposited in an approved bank before the date of the next succeeding instalment. The amount so deposited may be withdrawn only for payment of future subscriptions. When any property is acquired in lieu of the consolidated payment, it shall remain as security for the due payment of future subscriptions.

CHAPTER VI

TRANSFER

26. Restrictions on transfer of right of foreman.—(1) No transfer of the rights of a foreman to receive subscriptions from prized subscribers shall be made without the previous sanction in writing of the Registrar.

(2) Any such transfer of the rights of a foreman to receive subscriptions from a prized subscriber shall, if it is likely to affect prejudicially the interest of any non-prized subscriber or unpaid prized subscriber, be set aside on application by such subscriber to such officer as may be empowered by the Administrator in this behalf.

(3) When under sub-section (2) a transfer is disputed by a subscriber, the burden of proving that the foreman was in solvent circumstances at the time of the transfer and that the transfer is not likely to affect prejudicially the interest of any such subscriber is upon the transferee.

27. Transfer of non-prized subscriber's rights to be in writing.—Every transfer by a non-prized subscriber of his rights in the chit shall be in writing duly attested by at least two witnesses and shall be filed with the foreman.

28. Recognition of transfer by the foreman.—Every transfer under section 27 shall be recognized by the foreman, unless the transferee is not solvent or the transfer was effected with a view to defeat the provisions of any law.

29. Entry of transferee's name in the book.—Every transfer made under section 26 or section 27 shall be entered by the foreman in the books of the chit forthwith and a true copy of such entry shall be filed by the foreman with the Registrar within fourteen days from the date of such entry.

CHAPTER VII

TERMINATION OF CHITS

30. Provisions for continuation of chits in certain cases.—Where the foreman who is an individual dies or becomes of unsound mind, the chit may be continued in accordance with the provisions of the chit agreement.

31. Termination of chit.—A chit shall be deemed to have terminated—

- (a) when the period fixed in the chit agreement has expired, provided payment of dues to all the subscribers has been completed; or
- (b) when all the non-prized and unpaid prized subscribers consent in writing to the termination of the chit and a copy of such consent is filed as required by section 32; or
- (c) when a foreman, who is an individual, dies or becomes of unsound mind and the chit is not continued in accordance with the provisions of the chit agreement:

Provided that in the case of a foreman which is a firm, if a partner dies or becomes of unsound mind, the chit shall not be deemed to have terminated and the surviving partner or partners shall conduct the chit in the absence of any provision to the contrary in the chit agreement.

32. Copy of assent or consent to be filed with the Registrar.—A true copy of every assent mentioned in section 18 and of every consent mentioned in section 31, with the date of such assent or consent shall be filed by the foreman or by the remaining foreman or foremen, as the case may be, with the Registrar within fourteen days from the date of such assent or consent.

33. Refund of non-prized subscriber's contributions.—Except in the cases referred to in clauses (a) and (b) of section 31—

- (a) every non-prized subscriber shall, unless otherwise provided for in the chit agreement, be entitled to get back his contribution at the termination of the chit without deduction for dividend, if any, received by him;

Provided that any person to whom the rights of a non-prized subscriber are transferred under sections 27, 28 and 29 shall, in addition to his own contributions, be entitled to get back the contribution made by such non-prized subscriber, subject to the conditions specified in this clause;

- (b) if the chit terminates on a date earlier than the date originally fixed in the chit agreement, the non-prized subscriber's claim shall be deemed to have arisen on the date on which he has notice thereof.

34. Subscribers' dues to be first charge on chit assets.—Where there are debts due from the foreman of a chit in relation thereto and also other debts due from such foreman, the chit debts due to the subscribers shall be a first charge on the chit assets.

CHAPTER VIII

INSPECTION OF DOCUMENTS

35. Foreman to allow subscriber to examine chit records.—Every foreman shall, on payment of such fee not exceeding five rupees as may be specified in the chit agreement, allow non-prized and unpaid prized subscribers all reasonable facilities on all days of drawing of chits or on such days and within such hours as may be provided for in the chit agreement for the inspection of security bonds and documents, receipts and other records taken from the prized subscribers or furnished by the foreman himself in his capacity as a subscriber and all chit records including books of account and pass books, the balance sheets and profit and loss accounts and such other records as may show the actual financial position of the chit scheme.

36. Preservation of chit records by foreman.—All the records pertaining to a chit shall be preserved intact by the foreman and kept for a period of six years from the date of the termination of the chit.

37. Inspection of chit books and records.—(1) (a) The Registrar; or

(b) any officer authorized by the Director of chits in this behalf, may inspect the chit books and all records after giving due notice in writing to the foreman.

(2) Every foreman shall be bound to produce the chit books and records before the Registrar or the officer authorized under sub-section (1) at the time and place

mentioned in the notice and shall furnish such information to him as he may require:

Provided that such inspection may be made at the premises of the foreman if he pays in advance such fees as may be prescribed for the inspection:

Provided further that if the foreman is a banking company as defined in the Banking Companies Act, 1949 (Central Act X of 1949) or a corporation established by or under any statute and carrying on the business of banking, such inspection shall be made only at the premises of the company and only on a working day and such foreman shall pay such fees as may be prescribed for the inspection.

CHAPTER IX

WINDING UP OF CHITS

38. When chit may be wound up.—A chit may be wound up by the District Court:—

- (a) if the chit has terminated under clause (c) of section 31, or
- (b) if the foreman fails to give the security specified in section 12 or if he commits any such act in respect thereto as are calculated to impair materially the nature of the security or the value thereof, or
- (c) if he fails to deposit the chit moneys in accordance with the provisions of this Act, or
- (d) if it is proved to the satisfaction of the court that the foreman is unable to pay the amounts due to the subscribers, or
- (e) if execution or other process issued on a decree or order of any court in favour of any subscriber in respect of amounts due to him from the chit is returned unsatisfied in whole or in part, or
- (f) if it is proved that there has been fraud or collusion on the part of the foreman in the matter of taking securities from prized subscribers, or
- (g) if the foreman has appropriated the prize amount in his capacity as a subscriber without furnishing sufficient security for future subscriptions, or
- (h) if it is just and equitable that the chit should be wound up.

Explanation.—For the purposes of clause (d), in determining whether the foreman is unable to pay the amounts due to the subscribers, the court shall take into account his contingent and prospective liabilities in respect of the chit:

Provided that a chit conducted by a company within the meaning of the Companies Act, 1956 (Central Act of 1956), shall be wound up only by the court having jurisdiction under that Act.

39. Winding up application.—The application to the court for the winding up of a chit shall be by a petition presented by any non-prized subscriber or unpaid prized subscriber or by the Registrar, signed and verified in the manner prescribed by the Code of Civil Procedure, 1908 (Central Act V of 1908), and shall contain such particulars as may be prescribed:

Provided that no application for the winding up of a chit under clauses (d) and (h) of section 38 shall lie unless such petition is presented:—

- (a) by those non-prized subscribers and those unpaid prized subscribers whose subscriptions to the chit amount in the aggregate to at least twenty-five per cent of the amounts contributed by all the non-prized subscribers and unpaid prized subscribers; or
- (b) with the previous sanction of the Administrator.

Explanation.—For the purposes of the above proviso, a subscriber of a fraction of a ticket shall be deemed to be a subscriber only to the extent of such fraction.

40. Insolvency or liquidation bar to winding up proceedings.—Notwithstanding anything contained in sections 38 and 39, no petition for the winding up of a chit shall be entertained by the court if proceedings under the law relating to insolvency for the time being in force are pending against the foreman for adjudicating him an insolvent or when the foreman is a company, if proceedings for winding up the company are pending against such company in a court.

41. Commencement and effect of winding up order.—An order for the winding up of a chit shall operate in favour of all the subscribers to whom amounts

are due from the chit and it shall be deemed to have commenced from the time of the presentation of the application for the winding up.

42. Injunction order.—The court may, upon the application of the foreman or of any subscriber to whom amounts are due in respect of the chit at any time after the presentation of the application for the winding up of a chit under this Act and before the making of an order for the appointment of an Interim Receiver or for winding up the chit, restrain further proceedings in any suit or proceeding instituted against the foreman for the realization of amounts due from the chit upon such terms as the court thinks fit.

43. Powers of court on hearing the application.—On hearing the application, the court may dismiss it with or without costs or adjourn the hearing conditionally or unconditionally or make an interim order or any other order that it deems fit.

44. Chit assets to vest in court for distribution.—On the making of an order for the winding up of a chit, the entire chit assets shall vest in the court for distribution amongst the subscribers to whom amounts are due in respect of the chit and the court shall pass such orders in the matter (including the appointment of a receiver) as it deems fit.

45. Suits stayed on winding up orders.—When a winding up order has been made by a court, no suit or other legal proceedings shall be continued or commenced against the foreman by a subscriber for the realization of amounts due to him in respect of the chit except with the leave of the court and on such terms as the court may impose.

46. Copy of winding up order to be filed with the Registrar.—(1) On the making of a winding up order, it shall be the duty of the petitioner in the winding up proceedings and of the Receiver to file with the Registrar a copy of the order, within one month from the date of the making of the order:

Provided that the Registrar may, upon application in writing by such petitioner or Receiver, allow, in his discretion, further time not exceeding fifteen days for the filing of any such copy.

(2) On the filing of a copy of the winding up order, the Registrar shall make an entry thereof in his books relating to the chit and shall notify in the Delhi Gazette that such an order has been made.

47. Stay of winding up proceedings on insolvency of foreman and transfer of insolvency proceedings.—When during the pendency of the proceedings for the winding up of a chit, the foreman is adjudicated an insolvent or when the foreman is a company, the company has been ordered to be wound up by the court, the winding up proceedings under this Act shall cease and the distribution of the chit assets shall, subject to the provisions contained in sections 34 and 42, be made by the insolvency court or the court winding up the company, as the case may be.

48. Compensation for frivolous or vexatious application.—(1) When an application presented for winding up a chit is dismissed and the court is satisfied that the application is frivolous or vexatious, the court may award against the applicant such amount, not exceeding five hundred rupees, as it deems reasonable as compensation to the foreman for the expense or injury occasioned to him by the application and the proceedings thereon and such amount may be realized as if the award were a decree.

(2) Compensation under sub-section (1) shall bar any suit for compensation.

49. Right of appeal.—The foreman, any subscriber, the Receiver or any other person aggrieved by a decision or order of the court in proceedings for winding up a chit may, within two months from the date of such decision or order, appeal to the High Court.

50. Limitation.—(1) Where an order refusing to wind up a chit has been made under this Act, the chit shall be deemed to have been under suspension from the date of the presentation of the application to the date of such order in respect of non-prized subscribers, and notwithstanding anything contained in the chit agreement, no non-prized subscriber who was not a defaulter on the date of the presentation of the application for winding up shall be deemed to be a defaulter on the date of its dismissal.

(2) Where an order refusing to wind up a chit has been made under this Act, in computing the period of limitation prescribed for any suit or other legal proceedings (other than a suit or an application in respect of which the leave of the

court has been obtained) which might have been brought or instituted the period from the date of the presentation of the application to the date of the order refusing to wind up the chit shall be excluded.

(3) Nothing contained in this Act shall affect the right of the subscriber to proceed by suit or application against the foreman personally for the balance, if any, of the amount due to him after the declaration of the final dividend in proceedings for winding up the chit and in computing the period of limitation prescribed for any such suit or application, the period from the date of the presentation of the application for winding up the chit to the date of the declaration of the final dividend shall be excluded.

CHAPTER X

OFFICERS, INSPECTION AND FEES

51. Appointment of Director of Chits, Inspecting Officers, Registrars and Chit Auditors.—(1) The Administrator may, by notification, appoint a Director of Chits and as many Inspecting Officers and Registrars as may be necessary for the purpose of discharging the duties imposed upon the Director of Chits, the Inspecting Officers and the Registrars by or under this Act or the rules made thereunder.

(2) The Director of Chits may appoint as many Chit Auditors as may be necessary for the purpose of discharging the duties imposed upon the Chit Auditors by or under this Act or the rules made thereunder.

(3) All Inspecting Officers, Registrars and Chit Auditors shall discharge the duties imposed upon them by or under this Act or the rules made thereunder under the general superintendence and control of the Director of Chits.

(4) If the Registrar is of the opinion that the accounts of any chit are not properly maintained and that such accounts should be audited, it shall be lawful for him to have such accounts audited by a Chit Auditor. It shall be the duty of the foreman of the chit concerned to produce before the Chit Auditor all accounts, books and other records relating to the chit, to furnish him with such information as may be required and to afford him all such assistance and facilities as may be necessary or reasonable and as may be required in regard to the audit of the accounts of the chit.

(5) The foreman shall pay to the Chit Auditor such fees as may be prescribed for the audit of the accounts of a chit under sub-section (4).

52. Inspection of documents in the Registrar's office.—Any person may, on payment of such fees as may be prescribed—

- (i) inspect the documents kept by the Registrar; and
- (ii) obtain a copy or extract of any document to be certified by the Registrar.

53 Levy of fees.—(1) There shall be paid to the Registrar such fees as the Administrator may, from time to time, prescribe for—

- (a) the registration of the bye-laws of a chit under section 3;
- (b) the grant of a certificate of commencement under section 7;
- (c) filing with the Registrar of the chit agreement and copies of documents under sections 11, 20, 21, 29 and 32;
- (d) the inspection of documents under section 52;
- (e) the certificate, copy of or extract of documents under section 52;
- (f) the audit of the accounts of the foreman and the issue of an audit certificate;
- (g) such other matters as may appear necessary to give effect to the purposes of this Act.

(2) A table of fees payable under sub-section (1) shall be published in the Delhi Gazette.

CHAPTER XI

MISCELLANEOUS

54. Appeals.—(1) Any foreman aggrieved by an order of the Registrar—

- (a) refusing to register the by-laws of a chit under sub-section (1) of section 3;
- (b) refusing to grant a certificate of commencement under sub-section (2) of section 7;
- (c) refusing to accept the security under clause (a) of sub-section (1) of section 12 or under section 23; or
- (d) refusing to release the property charged by way of security or to order the release of the cash security or the Government securities under sub-section (4) or sub-section (5) of section 12,

may, within thirty days of the communication to him of such order, appeal to the Director of Chits.

(2) Any foreman or any other person aggrieved by an order of the Registrar under sub-section (1) of section 26 or by an order of an officer empowered by the Administrator under sub-section (2) of that section may, within thirty days of the communication to him of such order, appeal to the Director of Chits.

(3) The Director of Chits may, after giving the appellant an opportunity of being heard, pass such orders on the appeal under sub-section (1) or sub-section (2), as he thinks fit.

55. Power of Registrar to condone delay in certain cases.—The Registrar may, in his discretion and upon an application in writing by any for man made within the period of fourteen days specified in any of the provisions or sub-section (2) of section 20, sub-section (2) of section 21, section 22 and section 32, allow to the foreman further time not exceeding fifteen days to file a copy of any document under any of the provisions referred to above.

56. Penalties.—(1) Whoever contravenes or abets the contravention of any of the provisions of sections 3, 4 and 7 shall be punishable with imprisonment for a term which may extend to one year or with fine which may extend to five hundred rupees or with both.

(2) Any foreman—

- (a) who does not file the chit agreement under section 6 or a copy of any document under section 11, sub-section (2) of section 20 sub-section (2) of section 21, section 29 or section 32 within the period specified for such filing or within the further time allowed under section 55 for such filing; or
- (b) who contravenes any of the provisions of section 8, sub-section (1) and (6) of section 12, section 14, section 15, section 16, section 20, section 21, section 22, section 23, sub-section (4) of section 25, section 29, section 35, section 36, section 37 and sub-section (4) of section 51; or
- (c) who fails to comply with the requirements of the chit agreement regarding the date, time and place at which the chit is to be drawn; shall be punishable with fine which may extend to one hundred rupees.

(3) whoever in any document required by, or for purposes of, any of the provisions of this Act wilfully makes a statement false in any material particular knowing it to be false, shall be punishable with imprisonment for a term which may extend to one year or with fine which may extend to five hundred rupees or with both.

57. Cognizance of offences.—No court inferior to that of a salaried magistrate of the first-class shall try any offence under this Act.

58. Application of fines.—The court imposing any fine under this Act may direct that the whole or any part thereof be applied in or towards payment of the costs of the proceedings.

59. Power to enter and search any place and to seize documents, etc.—(1) A magistrate of the first-class may, on receiving a report from the Registrar or the

Inspecting Officer appointed under sub-section (1) of section 51 that any person conducts or is responsible for the conduct of a chit in any place in contravention of the provisions of this Act, issue a warrant empowering the Registrar or the Inspecting Officer to enter such place with such assistants as he considers necessary and inspect the books, registers, accounts or documents in such place. On receiving such warrant the Registrar or the Inspecting Officer may enter the place with such assistants as he considers necessary and inspect the books, registers, accounts or documents in such place and may take to his office for further investigation such books, registers, accounts and documents as he considers necessary:

Provided that if the Registrar or the Inspecting Officer remove from the place any book, register, account or document, he shall give to the person in charge of the place, a receipt describing the book, register, account or document so removed by him:

Provided further that within twenty-four hours of the removal of the books, registers, accounts and documents from the place, the Registrar or the Inspecting Officer shall either return them to the person from whose custody they were removed or produce them in the court of the magistrate who issued the warrant. Such magistrate may return the books, registers, accounts and documents or any of them to the person from whose custody they were removed by the Registrar or the Inspecting Officer, after taking from such person such security as the magistrate considers necessary for the production of the books, registers, accounts and documents when required whether by the Registrar or by the Inspecting Officer or by the court, or may pass such other orders as to their disposal as appear just and convenient to the magistrate.

(2) The Registrar or the Inspecting Officer shall have authority to require any person whose testimony he may require regarding any chit agreement to attend before him or to produce or cause to be produced any document and to examine such person on oath.

(3) The Registrar or the Inspecting Officer may apply for assistance to an officer in charge of a police station and take Police officers to accompany and assist the Registrar or the Inspecting Officer in performing his duties under this Act.

60. Payment to be evidenced by document.—All payments in respect of a chit whether by the foreman or by the subscriber shall be evidenced by documents in writing.

61. Interest at more than twelve per cent not to be allowed.—No court shall award interest on claims arising under this Act at more than twelve per cent per annum simple interest.

62. Power of court to grant relief in certain cases.—Nothing contained in the foregoing provisions of this Act shall affect the powers vested in a court for granting relief against any of the provisions contained in the chit agreement, if the same be unconscionable or opposed to the provisions of any law.

63. Power to make rules.—(1) The Administrator may make rules for carrying out all or any of the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for or regulate—

- (a) all matters expressly required or allowed by this Act to be prescribed;
- (b) the matters in respect of which provision shall be made in the by-laws of a chit and the procedure to be followed in making, registering, altering and abrogating by-laws, and the conditions to be satisfied prior to such making, registration, alteration or abrogation;
- (c) the particulars which every chit agreement shall contain;
- (d) the method of valuation of grains by the Registrar in a grain chit, for the purposes of security under section 12;
- (e) the restrictions and conditions subject to which and the manner in which, any security given by a foreman under section 12 may be changed or substituted;
- (f) the procedure to be followed by the Registrar for the release of security given by the foreman under section 12;

- (g) the maintenance of registers and books of accounts by the foreman, the safe custody of books, papers and documents in the Registrar's office and also for the destruction of such books, papers and documents as need no longer be kept;
 - (h) the procedure to be followed for the winding up of a chit under Chapter IX; and
 - (i) the auditing of the balance sheets and profit and loss accounts and the issue of audit certificates.
- (3) (a) All rules made under this Act shall be published in the *Delhi Gazette* and, unless they are expressed to come into force on a particular day, shall come into force on the day on which they are so published.
- (b) All notifications issued under this Act, shall, unless they are expressed to come into force on a particular day, come into force on the day on which they are published.
- (4) Omitted.

64. **Recovery of amounts due from a foreman.**—All amounts due from a foreman to the Registrar or any other officer under this Act by way of any fee shall be recoverable as arrears of land revenue.

65. **Act not to apply to certain chits.**—The provisions of this Act shall not apply in respect of—

- (1) any chit started before the commencement of this Act, or
- (2) any chit the chit amount of which or where two or more chits are started or conducted simultaneously by the same foreman, the aggregate chit amount of which does not exceed one hundred rupees.

66. **Power to exempt.**—The Administrator may, by notification, exempt any person or class of persons to whom or any chit or class of chits to which this Act applies from all or any of its provisions, subject to such conditions as he deems fit and may cancel or modify any such notification.

67. **Amendment of Central Act II, of 1899 in its application to the Union territory of Delhi.**—In Schedule 1-A, to the Indian Stamp Act, 1899, (Central Act II of 1899), in its application to the Union territory of Delhi, after entry 20, the following entry shall be inserted, namely:—

<p>“20-A. A chit agreement, that is an agreement relating to a chit as defined in clause (2) of section 2 of the Madras Chit Funds Act, 1962 as extended to the Union territory of Delhi, if either such agreement is executed or the chit is conducted in the Union territory of Delhi.</p>	}	“One Rupee”
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68. Omitted.

69. **Power to remove difficulties.**—(1) If any difficulty arises in giving effect to the provisions of this Act, the Administrator may, as occasion may require, by order, do anything which appears to him to be necessary for the purpose of removing the difficulty.

(2) Omitted.

[No. F. 3/9/62-Judl.II-UTL-51.]

P. N. KAUL, Dy. Secy.

New Delhi, the 27th September 1962

G.S.R. 1312.—In pursuance of sub-rule (1) and the first proviso to sub-rule (2) of rule 4 of the Indian Police Service (Cadre) Rules, 1954, the Central Government, in consultation with the Government of Gujarat, hereby makes the following further amendments in the I.P.S. (Fixation of Cadre Strength) Regulations, 1955:

Amendments

In the Schedule to the said Regulations, for the entries relating to 'Gujarat' the following shall be substituted, namely:—

"1. Senior Posts under State Government	32
Inspector General of Police	1
Commissioner of Police	1
Deputy Inspectors General of Police	3
Deputy Commissioners of Police	3
Assistant Inspector General of Police	1
Superintendent of Police C.I.D. (Crime)	1
Superintendent of Police C.I.D. (S.B.)	1
Superintendents of Police	17
Superintendents of Police, Railway	1
Principal, Police Training School	1
Commandants, State Reserve Constabulary	2
	<hr/> 32
2. Senior Posts under Central Government	10
	<hr/> 42
3. Posts to be filled by promotion in accordance with rule 9 of the Indian Police Service (Recruitment) Rules, 1954	10
4. Posts to be filled by direct recruitment	32
5. Deputation Reserve @ 15 per cent of 4 above	5
6. Leave Reserve @ 11 per cent of 4 above	4
7. Junior Posts @ 20-60 per cent of 4 above	7
8. Training Reserve @ 10-59 per cent of 4 above	3
Direct Recruitment Posts	<hr/> 51
Promotion Posts	10
Total Authorised Strength	<hr/> 61"

2. These amendments shall be deemed to have come into force with effect from 1st May, 1960.

[No. 7/13/62-AIS(I)-(A).]

G.S.R. 1313.—In pursuance of sub-rule (1) and the first proviso to sub-rule (2) of rule 4 of the Indian Police Service (Cadre) Rules, 1954, the Central Government in consultation with the Government of Gujarat, hereby makes the following further amendments in the I.P.S. (Fixation of Cadre Strength) Regulations, 1955:

Amendments

In the Schedule to the said Regulations, for the entries relating to 'Gujarat' the following shall be substituted, namely:—

"1. Senior Posts under State Government	34
Inspector General of Police	1
Commissioner of Police	1
Deputy Inspectors General of Police	3
Deputy Commissioners of Police	4
Assistant Inspector General of Police	1
Superintendent of Police C.I.D. (Crime)	1
Superintendent of Police C.I.D. (S.B.)	1
Superintendents of Police	17
Superintendents of Police, Railway	1
Principal, Police Training School	1
Commandants, State Reserve Constabulary	3
	<hr/> 34

2. Senior Posts under Central Government	10
	<u>44</u>
3. Posts to be filled by promotion in accordance with rule 9 of the Indian Police Service (Recruitment) Rules, 1954.	11
4. Posts to be filled by direct recruitment	33
5. Deputation Reserve @ 15 per cent of 4 above	5
6. Leave Reserve @ 11 per cent of 4 above	4
7. Junior Posts @ 20:60 per cent of 4 above	7
8. Training Reserve @ 10:59 per cent of 4 above	3
Direct Recruitment Posts	52
Promotion Posts	11
Total authorised strength	<u>63"</u>

[No. 7/13/62-AIS(I)-(B).]

K. S. N. MURTHY, Under Secy.

ERRATA

In notification No. 1/31/59-MT, dated 22nd August, 1962 of the Ministry of Home Affairs, published in the Gazette of India, Part II—Section 3(i), dated 1st September, 1962 as G.S.R. 1141, the following corrections are to be made:—

Page 1249, Schedule, against item 3, under column 11,—

(1) for "(i) Addl. Supdt. of Police—7 (Rs. 600—1000)"

read "(i) Addl. Supdt. of Police—1 (Rs. 600—1000)"

(2) for "Dy. Supdt. of Police—7 (Rs. 200—600) with 7 years service in the grade)."

read "Dy. Supdt. of Police—7 (Rs. 200—600) (with 8 years service in the grade)."

MINISTRY OF FINANCE**(Department of Revenue)**

New Delhi, the 6th October 1962

G.S.R. 1314.—In exercise of the powers conferred by sub-section (1) of section 43-B of the Sea Customs Act, 1878 (8 of 1878), as in force in India and as applied to the State of Pondicherry the Central Government hereby makes the following further amendment in the Notification of the Government of India, in the Ministry of Finance (Department of Revenue) No. G.S.R.—575 (55/F. No. 34/86/60-Cus. IV), dated the 28th May, 1960, namely:—

Amendment

In the Schedule to the said notification, after the existing item at Serial No. 166 and entries relating thereto, the following shall be added, namely:—

"167. Sulphuric Acid Battery Grade".

[No. 141/F. No. 34(89)/29/62-Cus. IV.]

CUSTOMS AND CENTRAL EXCISE

G.S.R. 1315.—In exercise of the powers conferred by sub-section (3) of section 43B of the Sea Customs Act, 1878 (8 of 1878) and section 37 of the Central Excises and Salt Act, 1944 (1 of 1944), as in force in India and as applied to the State of Pondicherry, the Central Government hereby makes the following

further amendment in the Customs and Central Excise Duties Export Drawback (General) Rules, 1960, the same having been previously published as required under the said sub-section (3) of section 43B, namely:—

Amendment

1. These rules may be called the Customs and Central Excise Duties Export Drawback (General) Amendment Rules, 1962.

2. In the Second Schedule to the Customs and Central Excise Duties Export Drawback (General) Rules, 1960, after the existing item at Serial Number 125 and entries relating thereto, the following shall be added, namely:—

“126. Clocks all kinds.”

[No. 106/F. No. 34(103)/1/62-Cus.IV.]

G.S.R. 1316.—The following draft of rules further to amend the Customs and Central Excise Duties Export Drawback (General) Rules, 1960, which the Central Government proposes to make in exercise of the powers conferred by sub-section (3) of section 43-B, of the Sea Customs Act, 1878 (8 of 1878) and section 37 of the Central Excises and Salt Act, 1944 (1 of 1944), as in force in India and as applied to the State of Pondicherry, is published as required by the said sub-section (3) of the said section 43-B, for the information of all persons likely to be affected thereby; and notice is hereby given that the said draft will be taken into consideration on or after the 7th November, 1962.

2. Any objection or suggestion which may be received from any person with respect to the said draft before the date so specified will be considered by the Central Government.

DRAFT RULES

1. These rules may be called the Customs and Central Excise Duties Export Drawback (General) Amendment Rules, 1962.

2. In the Second Schedule to the Customs and Central Excise Duties Export Drawback (General) Rules, 1960 after the existing item at Serial Number 128 and entries relating thereto, the following shall be added, namely:—

“129. Sulphuric Acid Battery Grade.”

[No. 107/F. No. 34(89)/29/62-Cus. IV.]

J. BANERJEE, Dy. Secy.

MINISTRY OF COMMERCE & INDUSTRY

New Delhi, the 22nd September 1962

G.S.R. 1317.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules further to amend the Forward Markets Commission Class I and Class II Recruitment Rules, 1958, issued with the notification of the Government of India in the Ministry of Commerce & Industry No. 4-E.I(4)/57, dated the 6th November 1958, namely:—

1. These rules may be called the Forward Markets Commission Class I & Class II Recruitment (Amendment) Rules, 1962.

2. In the Schedule to the Forward Markets Commission Class I & Class II Recruitment Rules, 1958, against serial No. 3,

(i) in Column 10, for the existing entries, the following entries shall be substituted, namely:—

“33-1/3% by transfer on deputation falling which by direct recruitment.

“66-2/3% by promotion falling which by transfer on deputation & falling both, by direct recruitment.”

(ii) in Column 11, for the existing entries under “Transfer” the following entries shall be substituted, namely:—

“Central Services Class I.”

[No. 4-E.I(4)/57-E.IV.]

S. R. BANERJEE, Under Secy.

MINISTRY OF TRANSPORT & COMMUNICATIONS**(Department of Transport)****(Transport Wing)****Ports***New Delhi, the 25th September 1962*

G.S.R. 1318.—In exercise of the powers conferred by sub-section (1) of section 35 of the Indian Ports Act, 1908 (15 of 1908), and in supersession of the Government of India, Ministry of Transport and Communications Notification No. 2B-PG(64)/58 dated the 19th November, 1958, the Central Government hereby makes the following rules regulating the levy of fees for pilotage in the Port of Kandla, namely:—

1. **Short title.**—These rules may be called the Kandla Port Pilotage (Fees) Rules, 1962.

2. **Fees for pilotage.**—Fees for pilotage in the Port of Kandla shall be as specified in the Schedule to these rules.

3. **Attendance fee.**—(a) An attendance fee of Rs. 60/- shall be charged in each of such cases where a pilot boards a vessel in accordance with the orders issued pursuant to the requisition and is subsequently informed that his services are not required. An attendance fee equal to full pilotage fee shall be charged in cases where the Pilotage fee is less than Rs. 60/-.

(b) Where a Pilot goes out to pilot an incoming vessel at the pilot station in accordance with the requisition, full pilotage fee shall be recovered if the Pilot has to return owing to non-arrival of that vessel.

(c) When a Pilot is required to attend a ship at the request of the Master or the Agents or at the discretion of the Harbour Master for work other than piloting ship, in or out of the harbour or other than berthing or unberthing of ships, an attendance fee of Rs. 40/- per hour or part thereof shall be charged.

4. **Fee for non-cancellation of Pilotage requisition.**—A fee of Rs. 75/- shall be levied for non-cancellation of pilotage, whenever the services of a Pilot are requisitioned for outward pilotage of a mechanically propelled vessel and if such requisition is not cancelled in writing at least three clear hours before the time fixed for the Pilot to board the vessel for outward pilotage.

5. **Detention fee.**—(i) A detention fee of Rs. 45/- per hour or part thereof shall be charged if a Pilot is detained on board the vessel, to be piloted in or out, for more than half an hour owing to any reason except for reasons of stress of weather, desertion of crew or such other reasons beyond the control of the Master.

(ii) A detention fee of Rs. 45/- per hour or part thereof shall be charged if a Pilot is detained for more than half an hour on the pilot launch or tug etc. for waiting for the arrival of a ship beyond the intimated expected time of arrival.

6. **Fee for use of port's tugs.**—(1) For assisting or attending a vessel in the Harbour for berthing, unberthing or shifting the vessel to be piloted, a sum of Rs. 150/- per vessel per tug shall be levied in addition to the pilotage or shifting charges.

(ii) For attending or assisting a vessel in the approach channel (Kandla Bar Area) during pilotage (if such attendance or assistance is considered necessary by the Deputy Conservator), an additional fee of Rs. 100/- per tug shall be levied for each such assistance or attendance.

(iii) For towing a vessel in the pilotage limits of Kandla Port, a charge of Rs. 300/- per tug for a vessel under 1,500 tons net register and Rs. 500/- per tug for a vessel of 1,500 tons net register and over shall be levied.

(iv) For detention of a tug for more than half an hour owing to any reason except for reasons of stress of weather, desertion of crew, or such other reasons beyond the control of the Master, a charge of Rs. 100/- per hour or part thereof

shall be levied in addition to the charges to be paid for the service rendered by the tug.

(v) If a tug is ordered to tow a vessel and after going alongside is informed that her services are not required, a charge of Rs. 100/- shall be levied.

7. **Fee of shifting etc.**—Fees amounting to 50% of the pilotage charges enumerated in Parts I and III of the Schedule shall be levied each time for shifting any vessel from one place to another after she has become liable to pay full pilotage charges under the rules during the particular voyage.

Provided, however, no such shifting charges shall be levied when a shifting is necessitated to suit the convenience of the Port.

SCHEDULE

[See Rule 2]

Part I.—All mechanically propelled vessels viz., Steamers, Tugs, Launches except those engaged on Ferry services.

Gross tonnage.	Pilotage fees.
100 tons and under	Rs. 50/- each way.
101 tons to 200 tons	Rs. 50/- each way.
201 tons to 300 tons	Rs. 50/- each way.
301 tons to 400 tons	Rs. 50/- each way.
401 tons to 500 tons	Rs. 50/- each way.
501 tons to 600 tons	Rs. 50/- each way.
601 tons to 700 tons	Rs. 50/- each way.
701 tons to 800 tons	Rs. 50/- each way.
801 tons to 900 tons	Rs. 50/- each way.
901 tons to 1000 tons	Rs. 50/- each way.
1001 tons to 1100 tons	Rs. 55/- each way.
1101 tons to 1200 tons	Rs. 60/- each way.
1201 tons to 1300 tons	Rs. 65/- each way.
1301 tons to 1400 tons	Rs. 70/- each way.
1401 tons to 1500 tons	Rs. 75/- each way.
1501 tons to 1600 tons	Rs. 80/- each way.
1601 tons to 1700 tons	Rs. 85/- each way.
1701 tons to 1800 tons	Rs. 90/- each way.
1801 tons to 1900 tons	Rs. 95/- each way.
1901 tons to 2000 tons	Rs. 100/- each way.
2001 tons to 2100 tons	Rs. 105/- each way.
2101 tons to 2200 tons	Rs. 110/- each way.
2201 tons to 2300 tons	Rs. 115/- each way.
2301 tons to 2400 tons	Rs. 120/- each way.
2401 tons to 2500 tons	Rs. 125/- each way.
2501 tons to 2600 tons	Rs. 130/- each way.
2601 tons to 2700 tons	Rs. 135/- each way.
2701 tons to 2800 tons	Rs. 140/- each way.
2801 tons to 2900 tons	Rs. 145/- each way.
2901 tons to 3000 tons	Rs. 150/- each way.
3001 tons to 3100 tons	Rs. 155/- each way.
3101 tons to 3200 tons	Rs. 160/- each way.
3201 tons to 3300 tons	Rs. 165/- each way.
3301 tons to 3400 tons	Rs. 170/- each way.
3401 tons to 3500 tons	Rs. 175/- each way.
3501 tons to 3600 tons	Rs. 180/- each way.
3601 tons to 3700 tons	Rs. 185/- each way.
3701 tons to 3800 tons	Rs. 190/- each way.
3801 tons to 3900 tons	Rs. 195/- each way.
3901 tons to 4000 tons	Rs. 200/- each way.
4001 tons to 4100 tons	Rs. 205/- each way.
4101 tons to 4200 tons	Rs. 210/- each way.
4201 tons to 4300 tons	Rs. 215/- each way.
4301 tons to 4400 tons	Rs. 220/- each way.
4401 tons to 4500 tons	Rs. 225/- each way.
4501 tons to 4600 tons	Rs. 230/- each way.
4601 tons to 4700 tons	Rs. 235/- each way.
4701 tons to 4800 tons	Rs. 240/- each way.
4801 tons to 4900 tons	Rs. 245/- each way.
4901 tons to 5000 tons	Rs. 250/- each way.

Gross tonnage	Pilotage fees.
5001 tons to 5100 tons.	Rs. 255/- each way.
5101 tons to 5200 tons.	Rs. 260/- each way.
5201 tons to 5300 tons.	Rs. 265/- each way.
5301 tons to 5400 tons.	Rs. 270/- each way.
5401 tons to 5500 tons.	Rs. 275/- each way.
5501 tons to 5600 tons.	Rs. 280/- each way.
5601 tons to 5700 tons.	Rs. 285/- each way.
5701 tons to 5800 tons.	Rs. 290/- each way.
5801 tons to 5900 tons.	Rs. 295/- each way.
5901 tons to 6000 tons.	Rs. 300/- each way.
6001 tons to 6100 tons.	Rs. 305/- each way.
6101 tons to 6200 tons.	Rs. 310/- each way.
6201 tons to 6300 tons.	Rs. 315/- each way.
6301 tons to 6400 tons.	Rs. 320/- each way.
6401 tons to 6500 tons.	Rs. 325/- each way.
6501 tons to 6600 tons.	Rs. 330/- each way.
6601 tons to 6700 tons.	Rs. 335/- each way.
6701 tons to 6800 tons.	Rs. 340/- each way.
6801 tons to 6900 tons.	Rs. 345/- each way.
6901 tons to 7000 tons.	Rs. 350/- each way.
7001 tons to 7100 tons.	Rs. 355/- each way.
7101 tons to 7200 tons.	Rs. 360/- each way.
7201 tons to 7300 tons.	Rs. 365/- each way.
7301 tons to 7400 tons.	Rs. 370/- each way.
7401 tons to 7500 tons.	Rs. 375/- each way.
7501 tons to 7600 tons.	Rs. 380/- each way.
7601 tons to 7700 tons.	Rs. 385/- each way.
7701 tons to 7800 tons.	Rs. 390/- each way.
7801 tons to 7900 tons.	Rs. 395/- each way.
7901 tons to 8000 tons.	Rs. 400/- each way.
8001 tons to 8100 tons.	Rs. 405/- each way.
8101 tons to 8200 tons.	Rs. 410/- each way.
8201 tons to 8300 tons.	Rs. 415/- each way.
8301 tons to 8400 tons.	Rs. 420/- each way.
8401 tons to 8500 tons.	Rs. 425/- each way.
8501 tons to 8600 tons.	Rs. 430/- each way.
8601 tons to 8700 tons.	Rs. 435/- each way.
8701 tons to 8800 tons.	Rs. 440/- each way.
8801 tons to 8900 tons.	Rs. 445/- each way.
8901 tons to 9000 tons.	Rs. 450/- each way.
9001 tons to 9100 tons.	Rs. 455/- each way.
9101 tons to 9200 tons.	Rs. 460/- each way.
9201 tons to 9300 tons.	Rs. 465/- each way.
9301 tons to 9400 tons.	Rs. 470/- each way.
9401 tons to 9500 tons.	Rs. 475/- each way.
9501 tons to 9600 tons.	Rs. 480/- each way.
9601 tons to 9700 tons.	Rs. 485/- each way.
9701 tons to 9800 tons.	Rs. 490/- each way.
9801 tons to 9900 tons.	Rs. 495/- each way.
9901 tons to 10000 tons.	Rs. 500/- each way.
10001 tons to 10100 tons.	Rs. 505/- each way.
10101 tons to 10200 tons.	Rs. 510/- each way.
10201 tons to 10300 tons.	Rs. 515/- each way.
10301 tons to 10400 tons.	Rs. 520/- each way.
10401 tons to 10500 tons.	Rs. 525/- each way.
10501 tons to 10600 tons.	Rs. 530/- each way.
10601 tons to 10700 tons.	Rs. 535/- each way.
10701 tons to 10800 tons.	Rs. 540/- each way.
10801 tons to 10900 tons.	Rs. 545/- each way.
10901 tons to 11000 tons.	Rs. 550/- each way.
11001 ton to 11100 tons.	Rs. 555/- each way.
11101 tons to 11200 tons.	Rs. 560/- each way.
11201 tons to 11300 tons.	Rs. 565/- each way.
11301 tons to 11400 tons.	Rs. 570/- each way.
11401 tons to 11500 tons.	Rs. 575/- each way.
11501 tons to 11600 tons.	Rs. 580/- each way.

Gross tonnage	Pilotage fees.
11601 tons to 11700 tons	Rs. 585 - each way.
11701 tons to 11800 tons	Rs. 590 - each way.
11801 tons to 11900 tons	Rs. 595 - each way.
11901 tons to 12000 tons	Rs. 600 - each way.
12001 tons to 12100 tons	Rs. 605 - each way.
12101 tons to 12200 tons	Rs. 610 - each way.
12201 tons to 12300 tons	Rs. 615 - each way.
12301 tons to 12400 tons	Rs. 620 - each way.
12401 tons to 12500 tons	Rs. 625 - each way.
12501 tons to 12600 tons	Rs. 630 - each way.
12601 tons to 12700 tons	Rs. 635 - each way.
12701 tons to 12800 tons	Rs. 640 - each way.
12801 tons to 12900 tons	Rs. 645/- each way.
12901 tons to 13000 tons	Rs. 650/- each way.
13001 tons to 13100 tons	Rs. 655/- each way.
13101 tons to 13200 tons	Rs. 660/- each way.
13201 tons to 13300 tons	Rs. 665/- each way.
13301 tons to 13400 tons	Rs. 670/- each way.
13401 tons to 13500 tons	Rs. 675/- each way.
Above 13,500 tons.	An additional fee of Rs. 5/- for every additional 100 tons or fraction of 100 tons.

NOTE.—The levy of these rates will be subject to the following exception and conditions:

- (i) Pilotage will not be compulsory in case of vessels of 100 tons net or under provided that they are not sea-going vessels. Such vessels may however ask for a Pilot if they so desire on payment of fees according to the above table.
- (ii) Sea-going vessels of 100 tons net or under can be exempted from compulsory pilotage on issue of an exemption certificate at the discretion of the Deputy Conservator or the Harbour Master or any other Officer authorised by the Conservator of the Port on payment of exemption certificate fee of Rs. 5 each way.
- (iii) Vessels of over 100 tons but below 200 tons net may be exempted from compulsory pilotage at the discretion of the Deputy Conservator or the Harbour Master or any other officer authorised by the Conservator of the Port on payment of exemption certificate fee of Rs. 10 each way.
- (iv) All vessels except those in category (i) above, entering or leaving the Port without Pilot or valid Pilotage Exemption Certificate will in addition to all other penalties provided under the Indian Ports Act, 1908 be liable to payment of Pilotage fees according to the above table.

Part II.—Ferry Service.—A licence fee of Rs. 10 per month per launch shall be levied to examine the Master and to issue an exemption certificate in lieu of the compulsory pilotage for ferry launches plying between Kandla and Navlakhi.

Part III.—Sailing vessels other than Mechanically propelled vessels.

Classification	Pilotage fees
(a) Sailing Vessels of 100 tons or less.	Pilotage is not compulsory. If required by the Master, Pilot may be utilised in which case a Pilotage fee of Rs. 20/- each way will be charged.
(b) Sailing vessels exceeding 100 tons but below 200 tons.	Can be exempted from pilotage if Deputy Conservator or Harbour Master or any other Officer authorised by the Conservator of the Port certified to that effect in any particular case. A fee of Rs. 10/- will be levied for exemption certificate each way. If required by the Master, a Pilot may be utilised in which case a pilotage fee of Rs. 30/- each way will be charged. If a vessel enters or leaves the Port without a pilot or a valid Pilotage Exemption Certificate, a Pilotage fee of Rs. 30/- each way will be charged.
(c) Sailing Vessels of 200 tons and over.	Rs. 40/- each way.

NOTE.—(i) The tonnage referred to in all the above categories of vessels in this Part of the notification means "Net tonnage".

(ii) Where only one tonnage is indicated in the certificate of Registry, it may be treated as "Net tonnage" for the purpose of classification of (a), (b) and (c) of the above part of the Notification.

[No. F. 2-PG(106)/61.]

HARBANS SINGH, Under Secy.

MINISTRY OF FOOD & AGRICULTURE

(Department of Agriculture)

New Delhi, the 26th September 1962

G.S.E. 1319.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules, namely:—

1. **Short title.**—These rules may be called the Class III and Class IV Posts (Central Marine and Inland Fisheries Research Institutes) Recruitment Rules, 1962.

2. **Application.**—These rules shall apply to the Class III and Class IV Posts in the Central Marine and Inland Fisheries Research Institutes.

3. **Number, Classification and Scale of Pay.**—The number of the said posts, the classification thereof and the scales of pay attached thereto shall be as specified in columns 2 to 4 of the Schedule annexed hereto.

4. **Method of Recruitment, Age limit, Qualifications, etc.**—The method of recruitment, age limit, qualifications and other matters relating to the said posts shall be as specified in columns 5 to 13 of the Schedule aforesaid.

Provided that the upper age limit prescribed for direct recruitment may be relaxed in the case of candidates belonging to the Scheduled Castes/Tribes and other special categories of persons in accordance with the orders issued from time to time by the Government of India.

5. **Disqualification.**—(1) No person who has more than one wife living or who having a spouse living, marries in any case in which such marriage is void by reason of its taking place during the life time of such spouse, shall be eligible for appointment to any of the said posts; and

(2) No woman whose marriage is void by reason of the husband having a wife living at the time of such marriage or who has married a person who has a wife living at the time of such marriage, shall be eligible for appointment to any of the said posts:

Provided that the Central Government may, if satisfied that there are special grounds for so ordering, exempt any person from the operation of this rule.

SCHE

Name of post	No of posts	Classification	Scale of pay	Whether selection or non-selection post	Age limit for direct recruits
1	2	3	4	5	6
1 Scientific Assistants (junior).	7	G.C.S. Class III Non-Gazetted Non-Ministerial.	Rs. 130—5—160— 8—200—EB—8— 256—EB—8— 280—10—300.	Not applicable.	19—25 years.
2. Khalasi . . .	1	G.C.S. Class IV Non-Gazetted non-Ministerial.	Rs. 80—1—85— 2—95—EB—3— 110.	Do.	18—25 years.

RULE

Educational and other qualifications required for direct recruits	Whether age and educational qualifications prescribed for the direct recruits will apply to the case of promotees	Period of probation if any	Method of rectt. whether by direct rectt. or promotion or transfer and percentage of the vacancies to be filled by various methods	In case of rectt. by promotion/transfer grades from which promotion to be made	If a D.P.C. exists what is its composition	Circumstances in which UPSC is to be consulted in making rectt.
7	8	9	10	11	12	13
Graduate in Zoology, Chemistry, or Botany.	Not applicable.	Two years.	100% by direct recruitment.	Not applicable.	Not applicable.	..
Experience in handling minor machineries in a workshop and work as akhalasi.	Do.	Do.	100 % by direct recruitment.	Do.	Do.	..
<i>Desirable</i>						
Middle School standard pass from a recognised school.						

[No. 1-78/62-FY(I).]

C. R. SRINIVASAN, Under Secy.

(Department of Agriculture)

New Delhi, the 26th September 1962

G.S.R. 1320.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules regulating the method of recruitment to the post of Chairman, Delhi Milk Scheme, New Delhi.

1. **Short title.**—These rules may be called the Chairman, Delhi Milk Scheme Recruitment Rules, 1962.

2. **Application.**—These rules shall apply for recruitment to the post of Chairman, Delhi Milk Scheme, New Delhi.

3. **Number, Classification and scales of pay.**—The number of the said post, its classification and the scale of pay attached to it shall be as specified in columns 2 to 4 of the Schedule annexed hereto.

4. **Method of Recruitment, age limit and other qualifications.**—The method of recruitment, age limit, qualifications and other matters relating to the said post shall be as specified in columns 5 to 13 of the Schedule aforesaid.

5. **Disqualification.**—(a) No person, who has more than one wife living or who having a spouse living marries in any case in which such marriage is void by reason of its taking place during the life time of such spouse shall be eligible for appointment to the said post, and (b) no woman, whose marriage is void by reason of the husband having a wife living at the time of such marriage or who has married person who has already a wife living at the time of such marriage, shall be eligible for appointment to the said post. Provided that the Central Government may, if satisfied that there are special grounds for so ordering, exempt any person from the operation of this rule.

SCHE-

Name of post.	No. of posts.	Classification.	Scale of pay.	Whether selection post or non-selection post.	Age limit for direct recruits.	Educational and other qualifications required (for direct recruits).	Whether age and educational qualifications prescribed for the direct recruits will apply in the case of promotees.
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1	2	3	4	5	6	7	8
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Chairman	1	General Central Service Class I.	Rs. 1600—100—2000.1	N.A.	N.A.	N.A.	N.A.
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DULE

Period of probation, if any.	Method of recruitment whether by direct rectt. or by promotion or transfer and percentage of the vacancies to be filled by various methods.	In case of rectt. by promotion, transfer, grades from which promotion to be made.	If a DPC exists what is its composition.	Circumstances in which U.P.S.C. is to be consulted in making recruitment.
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9	10	11	12	13
N.A.	By transfer or deputation.	By deputation or transfer of a suitable Officer of Dairy or Animal Husbandry Deptt. of the Central Government or any State Government.	N.A.	As required under the U.P.S.C. (Exemption from consultation) Regulations.

[No. 7-41/59-DD.Vol.V.]

N. RANGANATHAN, Under Secy.

MINISTRY OF LABOUR & EMPLOYMENT*New Delhi, the 27th September, 1962.*

G.S.R. 1321.—In exercise of the powers conferred by section 5, read with sub-section (1) of Section 7, of the Employees' Provident Funds Act, 1952 (19 of 1952) the Central Government hereby makes the following Scheme further to amend the Employees' Provident Funds Scheme, 1952, namely:—

1. This Scheme may be called the Employees' Provident Fund (Ninth Amendment) Scheme, 1962.

2. In the Employees' Provident Funds Scheme, 1952 in clause (b) of subparagraph (3) of paragraph 1, sub-clause (xxvii) shall be renumbered as sub-clause (xxviii) thereof and before sub-clause (xxviii) as so renumbered the following sub-clause shall be inserted, namely:—

“(xxvii) as respects the establishments specified in the notification of the Government of India in the Ministry of Labour and Employment, No. G.S.R. 1232, dated the 7th September, 1962, come into force on the 31st October, 1962”.

[No. 4/13/61-P. F. II.]

SHAH AZIZ AHMAD, Dy. Secy.

New Delhi, the 27th September 1962

G.S.R. 1322.—In exercise of the powers conferred by clauses (r) to (w) of section 58 of the Mines Act, 1952 (35 of 1952), the Central Government hereby makes the following rules further to amend the Coal Mines Rescue Rules, 1959, the same having been previously published as required by sub-section (1) of section 59 of the said Act, namely:—

1. These Rules may be called the Coal Mines Rescue (Amendment) Rules, 1962.

2. In the Coal Mines Rescue Rules, 1959 (hereinafter referred to as the said rules), in rule 2—

(i) in clause (c), for the word “sub-committee”, the words “station committee” shall be substituted;

(ii) in clause (f), for the words “Rescue Stations Committee”, the words “Central Coal Mines Rescue Stations Committee” shall be substituted;

(iii) in clause (h), for the word “sub-committee”, the words “station committee” shall be substituted;

(iv) for clause (1), the following clause shall be substituted; namely:—

“(1) “Station Committee” means a Station Committee constituted under rule 12.”

3. In rule 5, of the said rules, the words “and the President may resign his office by letter addressed to the Chief Inspector” shall be omitted.

4. In rule 6 of the said rules, for the words “A member shall be deemed”, the words “A member other than the President shall be deemed” shall be substituted.

5. In rule 8 of the said rules, the existing rule shall be re-numbered as sub-rule (1) and the following shall be inserted as sub-rule (2), namely:—

“(2) During the temporary absence of the President on leave or otherwise, the Chief Inspector may authorise any other Inspector to perform all or any of the duties of the President as may be specified by him.”

6. In rule 12 of the said rules:—

(i) for the words “Sub-Committee” and “Sub-Committees” wherever they occur, the words “Station Committee” and “Station Committees” shall respectively be substituted:

- (ii) in the proviso to sub-rule (2), after the words "Provided that", the words "the meetings of a Station Committee shall be held not less than once in every quarter and" shall be inserted.

7. In rule 16 of the said rules, in sub-rule (1) in clause (c), for the words "within a radius of ten miles from the Giridih Railway Station", the words "at Ramgarh" shall be substituted.

8. In rule 19 of the said rules, in sub-rule (3), for the words "a permanent rescue corps of a Rescue Station shall be employed only at the discretion of the Committee", the words "a permanent rescue corps of, or the equipment maintained at, a Rescue Station shall be employed only at the discretion of the Committee or the Sub-Committee concerned but the President or the Chairman, as the case may be, may authorise such employment provided that every such authorisation shall be reported to the Committee or Sub-Committee as early as possible thereafter" shall be substituted.

9. In rule 36 of the said rules, for the words "or a person authorised by him or an Inspector", the words "or a person authorised by him shall, in consultation with the principal official of the mine for the time being at the mine" shall be substituted.

10. In Schedule 1 to the said rules,

- (i) In item (2) for the words "four smoke helmets", the words "three smoke helmets" shall be substituted;
- (ii) In item (3), for the words "twenty flame safety lamps", the words "five flame safety lamps" shall be substituted;
- (iii) For item (4), the following item shall be substituted, namely:—
"(4) Four oxygen reviving apparatus"
- (iv) In item (5), for the words "Thirty gas-masks", the words "Twelve gas-masks" shall be substituted; and
- (v) For item 16, the following item shall be substituted, namely:—
"(16) Two sets of suitable apparatus for detection of inflammable gas".

[No. F. 1/49/61-MI(Am. 3).]

P. R. NAYAR, Under Secy.

MINISTRY OF INFORMATION & BROADCASTING

New Delhi, the 27th September 1962

G.S.R. 1323.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules further to amend the Films Division (Recruitment to Class III and Class IV posts) Rules, 1959, published with the notification of the Government of India in the Ministry of Information and Broadcasting, No. G.S.R. 1090, dated the 21st September, 1959, namely:—

1. These rules may be called the Films Division (Recruitment to Class III and Class IV posts) Fifth Amendment Rules, 1962.

2. In the Films Division (Recruitment to Class III and Class IV posts) Rules, 1959, in rule 2,—

- (i) in clause (1) of the proviso for the words "the Scheduled Castes or the Scheduled Tribes and other special categories of persons", the words "the Scheduled Castes, the Scheduled Tribes or displaced persons and other special categories" shall be substituted.

(ii) after the proviso the following Note shall be inserted, namely:—

"Note.—In the case of displaced persons the relaxation referred to in clause (1) of the proviso will be made only upto the 31st March, 1962".

[No. 3/2/62-F(A)FDRR/20.]

D. R. KHANNA, Under Secy.

New Delhi, the 25th September 1962

G.S.R. 1324.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules for regulating the method of recruitment to certain Class II posts in the office of the Registrar of Newspapers for India of the Ministry of Information and Broadcasting of the Government of India, namely:—

1. **Short title.**—These Rules may be called the Registrar of Newspapers for India (Class II posts) Recruitment Rules, 1962.

2. **Application.**—These rules shall apply to the post specified in column 1 of the Schedule annexed hereto.

3. **Classification, Scale of pay, Method of Recruitment, Age Limit, etc.**—The classification, scales of pay, method of recruitment, age limit and other matters pertaining to the posts shall be as specified in columns 3 to 13 of the said Schedule.

SCHEDULE

Recruitment Rules for the Post of Circulation officer in the office of the Registrar of newspapers for India, Ministry of Information and Broadcasting.

Name of post	No. of posts	Classification	Scale of pay.	Whether selection post or non-selection post	Age limit for direct recruits	Educational and other qualifications required for direct recruits
(1)	(2)	(3)	(4)	(5)	(6)	(7)
Circulation Officer	1	G. C. S. Class II (Gazetted) (Ministerial).	Rs. 590—30—830—35—900	N.A.	N.A.	N.A.

Whether age and educational qualifications prescribed for the direct recruits will apply in the case of promotees	Period of probation, if any.	Method of rectt. whether by direct rectt. or by promotion or transfer & percentage of the vacancies to be filled by various methods	In case of rectt. by promotion/transfer, grades from which promotion to be made	If a DPC exists what is its composition	Circumstances in which U.P. S.C. is to be consulted in making rectt.
(8)	(9)	(10)	(11)	(12)	(13)
N.A.	N.A.	By deputation from among suitable officers belonging to any of the organised Accounts Services, e.g., S.A.S. of Auditor General's Office, Defence Accounts Department, etc.		N.A.	As required under the rules.

[No. F. 16(3)/61-I(A) !

S. PADMANABHAN, Under Secy.

New Delhi, 28th September 1962

G.S.R. 1325.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules further to amend the Publications Division, (Class III Posts) Recruitment Rules, 1960, published with the Government of India in the Ministry of Information and Broadcasting Notification No. G.S.R. 719 dated the 15th June, 1960.

1. These rules may be called the Publications Division, Delhi (Class III Posts) Recruitment Amendment Rules, 1962.

2. In the Publications Division (Class III Posts) Recruitment Rules, 1960

(i) for rule 5, the following rule shall be substituted, namely:—

“5. **Disqualification.**—(a) No person who has more than one wife living or who having a spouse living, marries in any case in which such marriage is void by reason of its taking place during the life time of such spouse, shall be eligible for appointment to any post specified in column 2 of the aforesaid Schedule, and

(b) no woman whose marriage is void by reason of the husband having a wife living at the time of such marriage or who has married a person who has a wife living at the time of such marriage shall be eligible for appointment to any post specified in column 2 of the aforesaid Schedule;

Provided that the Central Government may, if satisfied that there are special grounds for so ordering, exempt any person from the operation of this rule;”

(ii) in the Schedule, Serial Number 5 and the entries relating thereto shall be omitted and Serial Number 5A shall be renumbered as Serial Number 5.

[No. 1/20/62-Pub.II.]

G.S.R. 1326.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules further to amend the Publications Division, Delhi (Class II Posts) Recruitment Rules, 1961, published with the Government of India in the Ministry of Information and Broadcasting Notification No. G.S.R. 243, dated the 21st February, 1961:—

1. These rules may be called the Publications Division, Delhi (Class II Posts) Recruitment Amendment Rules, 1962.

2. In the Publications Division, Delhi (Class II Posts) Recruitment Rules, 1961.

(i) for rule 6, the following rule shall be substituted, namely:—

“6. **Disqualification.**—(a) No person who has more than one wife living or who having a spouse living, marries in any case in which such marriage is void by reason of its taking place during the life time of such spouse, shall be eligible for appointment to any post specified in column 2 of the aforesaid Schedule, and

(b) no woman whose marriage is void by reason of the husband having a wife living at the time of such marriage or who has married a person who has a wife living at the time of such marriage, shall be eligible for appointment to any post specified in column 2 of the aforesaid Schedule;

Provided that the Central Government may, if satisfied that there are special grounds for so ordering, exempt any person from the operation of this rule;”

(ii) in the Schedule after serial number 5 and the entries relating thereto, the following shall be added, namely:—

1	2	3	4	5	6	7
"6. Accountant	2	General Central Services, Class II (Non-Gazetted) (Non-Ministerial)	Rs. 270—15— 435—EB—20— 575.	N.A.	N.A.	N.A.

8	9	10	11	12
N.A.	By deputation	By deputation of a qualified Accountant from any of the Accounts/Audit Offices (Period of deputation 3-5 years).	N.A.	As required under the rules".

[No. 1/20/62-Pub. I.]

SHRI BHAGWAN, Under Secy.

MINISTRY OF HOME AFFAIRS

New Delhi, the 1st October 1962

G.S.R. 1327.—In exercise of the powers conferred by sub-section (1) read with sub-section (2) of section 4 of the Criminal Law Amendment Act, 1961 (23 of 1961), the Central Government hereby declares the issue No. 33 dated the 17th August 1962 of the periodical entitled "Peking Review", published by Peking Review Pai Wan Chuang, Peking (37), China, and printed in the People's Republic of China, and every copy of the said issue and all other documents containing copies, reprints and translations of, or extracts from, the said issue to be forfeited to the Government on the ground that an article entitled "The Sino-Indian Boundary Question" contained in the said issue, the publication of which is punishable under section 2 of the said Act, questions the territorial integrity and frontiers of India in a manner which is likely to be prejudicial to the interests of the safety and security of India, by claiming 125,000 square kilometers of Indian territory as belonging to China and by alleging *inter alia* that the Indian troops have stepped up their intrusions into Chinese territory, pushed into Chinese territory all along the border on the western sector, set up 22 military strongpoints within Chinese territory, penetrated as far as the upper reaches of the Galwan River in Sinkiang where they set up aggressive strongpoints and intruded into the Chip Chap valley area which is described as part of Sinkiang.

[No. 4/30/62-Pol(I).]

P. K. DAVE, Dy. Secy.

